

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
)

Amendment of Section 76.51)
of the Commission's Rules)
to Include Dubuque, Iowa)
in the Cedar Rapids-Waterloo, Iowa)
Television Market)
)

CS Docket No. 96-119

RECEIVED

JUL 22 1996

FEDERAL

COMMISSION
OFFICE OF SECRETARY

To: Chief, Cable Services Bureau

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COMMENTS OF CEDAR RAPIDS TELEVISION COMPANY

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July 22, 1996

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To: Chief, Cable Services Bureau

COMMENTS OF CEDAR RAPIDS TELEVISION COMPANY

Cedar Rapids Television Company ("CRTV"), licensee of television station KCRG-TV, Channel 9 (ABC), Cedar Rapids, Iowa, hereby submits its comments in support of adding the community of Dubuque, Iowa to the Cedar Rapids-Waterloo, Iowa television market. In response to CRTV's Petition for Rulemaking, the Cable Services Bureau has issued a Notice of Proposed Rulemaking ("NPRM") seeking comment on CRTV's proposal.¹ CRTV submits these comments to provide the Bureau with additional information demonstrating that the requested market redesignation is warranted.

I. INTRODUCTION AND SUMMARY

On August 22, 1995, CRTV submitted its Petition to amend Section 76.51 of the Commission's rules to change the designation of the Cedar Rapids-Waterloo, Iowa television

¹ Amendment of Section 76.51 of the Commission's Rules to Include Dubuque, Iowa in the Cedar Rapids-Waterloo, Iowa Television Market (Notice of Proposed Rulemaking), CS Docket No. 96-119 (rel. May 30, 1996).

market to Cedar Rapids-Waterloo-Dubuque, Iowa. In support of its request, CRTV provided documentary evidence that the stations licensed to Cedar Rapids and Waterloo compete directly with the station licensed to Dubuque. CRTV further demonstrated, consistent with the policy underlying past FCC market redesignations, that hyphenation of the market to include Dubuque would "equalize competition" for purposes of FCC regulations among stations in genuine competition.² In particular, CRTV showed that:

- Cedar Rapids is 54.3 miles from Dubuque and Waterloo is 75.6 miles from Dubuque³;
- the entire county of Dubuque falls within the Grade B contours of three of the four network affiliates licensed to Cedar Rapids or Waterloo -- KCRG-TV (ABC), KGAN-TV (CBS), and KWWL-TV (NBC);⁴
- the Grade B contour of the one station licensed to Dubuque, KFXB-TV, significantly overlaps those of these three Cedar Rapids-Waterloo stations;⁵

² See, e.g., Major Television Markets, 57 R.R.2d 1122 (1985). The Commission has stated repeatedly that hyphenation helps better reflect the reality that stations licensed to any of the named communities in a market can, and do, compete with one another for programming, audience, and advertisers throughout the market area. See, e.g., Amendment of Section 76.51 of the Commission's Rules to Include Goldsboro, North Carolina in the Raleigh-Durham, North Carolina Television Market, 9 FCC Rcd 4387, 4387 (1994) (citing CATV-Non Network Agreements, 46 F.C.C.2d 892, 898 (1974)).

³ Waterloo and Cedar Rapids are connected by U.S. Highway 380; Waterloo and Dubuque are connected by U.S. Highway 20; and Dubuque is connected to Cedar Rapids by U.S. Highway 151.

⁴ Exhibit 1 hereto plots the predicted Grade A and Grade B contours of the stations licensed to Cedar Rapids, Waterloo and Dubuque

⁵ While the contour of KFXB-TV (FOX) does not cover Cedar Rapids or Waterloo, this station recently entered into an agreement with KFXA-TV, Cedar Rapids (FOX) to, in essence, operate as one station covering the entire Cedar Rapids-Waterloo-Dubuque television market effective August 13, 1995. The combined contour of KFXA/KFXB substantially overlaps those of all the stations licensed to Cedar Rapids-Waterloo and covers Cedar Rapids and Waterloo. See Petition at 5.

- Cedar Rapids, Waterloo and Dubuque are economically interdependent, a fact underscored by the "significantly viewed" status of KCRG-TV -- as well as the Cedar Rapids-Waterloo CBS and NBC affiliates - in Dubuque county; and
- recognizing that the three communities are in close geographical proximity, are economically integrated, and that stations licensed to the communities compete against one another, Nielsen Media Research and the Arbitron Company have long designated the market "Cedar Rapids-Waterloo-Dubuque" in their ratings reports.

In addition, CRTV demonstrated that grant of its request would satisfy other factors considered by the Commission in redesignating a market.⁶ CRTV made a clear showing of particularized need for amendment of Section 76.51 and benefit to the public from such action. Absent redesignation, KCRG-TV will suffer continuing and significant competitive harm due to its inability to prevent the cable system serving Dubuque from importing the signal of a distant ABC affiliate, as well as the signals of stations airing syndicated programming also carried by KCRG-TV.⁷ Moreover, CRTV showed that this encroachment

⁶ As the NPRM notes, the Commission, in evaluating past requests for hyphenation of a market, has considered the following factors relevant: (1) the distance between existing designated communities and the community to be added to the market; (2) whether cable carriage, if afforded to the subject station, would extend to areas beyond its Grade B signal coverage area; (3) a showing of particularized need by the station requesting a change; and (4) public benefit from the change. NPRM at ¶ 3

⁷ As the NPRM states, television licensees use the market list set forth in Section 76.51 of the Commission's rules, among other things, to determine the scope of territorial exclusivity rights under 47 C.F.R. § 73.658(m), network nonduplication rights under 47 C.F.R. §§ 76.92-.97, and syndicated exclusivity rights under 47 C.F.R. §§ 76.151-.163. NPRM at ¶ 2.

Dubuque lies outside of the 35-mile protected zone of both Cedar Rapids and Waterloo. Prior to its recent affiliation with FOX, KFXB-TV, Dubuque, Iowa was an ABC affiliate (with call sign KDUB-TV). As such, the station asserted network nonduplication rights to prevent the cable system from importing WQAD-TV (ABC), Moline, Illinois, and KCRG-TV was an indirect beneficiary. In the absence of a Dubuque ABC affiliate, however, KCRG-TV has lost that protection

upon KCRG-TV's natural market threatens its continued origination of programming geared toward Dubuque by eroding the station's advertising base relative to Dubuque. Inclusion of Dubuque in the market designation will permit KCRG-TV to protect its investment in local programming by asserting its territorial exclusivity rights in Dubuque.

In response to CRTV's Petition, the Cable Services Bureau issued an NPRM on May 30, 1996 soliciting comment on the proposal. The NPRM found that this rulemaking is proper because a "sufficient case for redesignation of the subject matter has been set forth."⁸ Further, the NPRM found that "[i]t appears from the information before us that the television stations licensed to Cedar Rapids, Waterloo and Dubuque do compete for audiences and advertisers throughout much of the proposed combined market area" and that KCRG-TV's request "appears to be consistent with the Commission's policies regarding redesignation of a hyphenated television market."⁹

Notwithstanding these preliminary findings in support of CRTV's request, the NPRM seeks comment on several additional matters:

- (1) the nature of any competition between KCRG-TV and the station licensed to Dubuque for viewers, programming and advertising revenue;¹⁰ and
- (2) what consequences, if any, result to the proposal from the addition of Dubuque to the market and from changes in copyright law attendant to passage of the Satellite Home Viewer Act of 1994

⁸ Id. at ¶ 7.

⁹ Id. at ¶ 9.

¹⁰ Id.

¹¹ Id. (citations omitted).

As detailed below, KCRG-TV competes head to head for viewers, programming and advertising with KFXA-TV, Channel 28, Cedar Rapids, Iowa (FOX) and KFXB-TV, Channel 40, Dubuque, Iowa (FOX), which essentially operate as one station. Furthermore, the requested redesignation will benefit the public by ensuring an economic basis for KCRG-TV's continued provision of local programming of interest to Dubuque viewers. Finally, the addition of Dubuque to the market will reduce the copyright liability associated with cable carriage of stations licensed to Cedar Rapids and Waterloo by cable systems located outside the Cedar Rapids Area of Dominant Influence ("ADI"), but within the 35-mile zone of Dubuque. Hence, redesignation will promote (but not mandate) expanded cable carriage of proximate stations that, in turn, can economically expand their local programming coverage.

II. TELEVISION STATIONS LICENSED TO CEDAR RAPIDS, WATERLOO AND DUBUQUE COMPETE DIRECTLY FOR ADVERTISING REVENUES, VIEWERS, AND PROGRAMMING

KCRG-TV competes with KFXA/KFXB for advertising dollars, viewers and programming. KFXA-TV and KFXB-TV share the FOX affiliation for the Cedar Rapids-Waterloo-Dubuque market area. The stations "simulcast" the same local, national and network programming, including local news and public affairs programming.¹² The local

¹² See Exhibit 2 (advertisements for programming airing simultaneously on KFXA-TV and KFXB-TV) and Exhibit 3 (advertising announcement from KFXA/KFXB states that

Second Generation, which has owned stations for more than fifteen years, has merged two Eastern Iowa TV stations. One in Cedar Rapids KFXA. The other in Dubuque, KFXB to form a two station Fox powerhouse. These two stations will simulcast (excluding the local Dubuque news). covering Eastern Iowa and bringing you a new television opportunity.)

news program simultaneously aired on the stations -- titled "The Fox 28 and 40 News" -- originates from KFXB-TV's studios and will soon include material from throughout the Cedar Rapids-Waterloo-Dubuque market.¹³ Further, the stations sell advertising as a single entity,¹⁴ and station identifications refer to the stations as "KFXA and KFXB, Cedar Rapids-Waterloo-Iowa City-Dubuque."¹⁵ Indeed, in recognition of the fact that these two stations operate as one, Nielsen's monthly "Viewers in Profile" ratings publication lists the stations on a combined basis as "KFXA +".¹⁶

KCRG-TV actively competes with KFXA/KFXB for the same advertising revenues. A number of entities located in Dubuque regularly buy advertising time on KCRG-TV. In the past 90 days, the following Dubuque businesses have advertised on KCRG-TV: American Trust and Savings, Basket Expressions, Diamond Jo Casino, Dubuque Greyhound Park and

Contrary to this statement, however, KFXA-TV now simultaneously broadcasts a half-hour news program produced at the KFXB-TV studios in Dubuque week day evenings at 10:00 p.m. See Exhibit 2 (program advertisements listing same news program at 10:00 p.m.).

¹³ See Exhibit 4 (advertising promotional material stating "Which TV station has the top ranked newscast serving the Dubuque area and will soon expand its coverage to include Cedar Rapids, Waterloo, and Iowa City?")

¹⁴ See Exhibit 5 (Letter from Stewart R. Strizak, Vice President, Group Sales Manager, national Division Petry Inc. to Bob Allen, Vice President/General Manager, KCRG-TV dated July 10, 1996) ("Strizak Letter").

¹⁵ Declaration of Robert G. Allen at ¶ 2 ("Allen Declaration").

¹⁶ See Exhibit 6 (Nielsen Viewers in Profile) and Exhibit 7 (Nielsen "1995-1996 Reference Supplement," which explains the basis for reporting audiences for two stations on a combined basis).

Casino, Dubuque Telegraph Herald, Krieg Boys Ice Co.¹⁷ Similarly, local businesses located in Cedar Rapids and Iowa City advertise on KFXA/KFXB. On the evening of July 10, 1996 the following businesses aired advertisements on the combined stations: Mercy Hospital (Cedar Rapids), Cedar Rapids Kernals, Amana Colonies Golf (Cedar Rapids), and Chezik Sayers Honda (Iowa City).¹⁸ In fact, the joint sales office for KFXA/KFXB is located in Cedar Rapids.¹⁹ As with the local advertising market, KCRG-TV constantly competes with KFXA/KFXB for national advertising revenues.²⁰

Given the competition between KCRG-TV (as well as other stations licensed to Cedar Rapids and Waterloo) and KFXA/KFXB, it is not surprising that Nielsen includes Dubuque in the Cedar Rapids-Waterloo-Dubuque metro television ratings,²¹ and that Arbitron, prior to discontinuing its television ratings service, also designated the local market as Cedar

¹⁷ Allen Declaration at ¶ 4. These advertising patterns are consistent with the fact that KCRG-TV -- as well as KGAN-TV and KWWL-TV -- are "significantly viewed" in Dubuque County. Petition at 5.

¹⁸ Allen Declaration at ¶ 4. KFXA/KFXB actively solicits advertising dollars from entities located in Cedar Rapids. See Exhibit 8 (advertising solicitation from "FOX KFXA 28●KFXB 40 Cedar Rapids, Waterloo, Dubuque" to Junge Lincoln & Mercury, Cedar Rapids). Notably, this solicitation compares the cost of advertising on KFXA/KFXB with radio station WMT(AM)/(FM), Cedar Rapids, Iowa.

¹⁹ See Exhibit 3 (advertising announcement from KFXA/KFXB listing sales office address in Cedar Rapids).

²⁰ See Exhibit 5 (Strizak Letter) (stating that "[d]uring our solicitation of advertising dollars for KCRG-TV, we are constantly competing with KFXA+", that "KFXA-TV and KFXB-TV are sold as a single entity under the KFXA+ banner," and that "advertisers never make a distinction between Cedar Rapids and Dubuque [because] they feel that Dubuque is part of the Cedar Rapids market.")

²¹ Petition at Exhibit 3.

Rapids-Waterloo-Dubuque.²² Further, Dubuque County has long been listed within the Cedar Rapids Designated Market Area ("DMA") reported by Nielsen, as well as the Area of Dominant Influence ("ADI") previously reported by Arbitron.²³ These facts offer conclusive evidence that the stations licensed to the three communities compete directly for audience.

Stations in the three communities also compete for programming. Indeed, contracts for syndicated programming designate the relevant market as Cedar Rapids-Waterloo-Dubuque, Iowa.²⁴ Despite the scope of the geographic exclusivity granted under such contracts, however, the current market designation limits KCRG-TV's ability to exercise the right with respect to Dubuque.

Clearly, the Cedar Rapids-Waterloo stations compete against KFXA/KFXB. Redesignation of the market to reflect this competitive reality in the Commission's rules is therefore warranted. As detailed below, such action also will benefit viewers.

III. REDESIGNATION OF THE CEDAR RAPIDS-WATERLOO MARKET TO INCLUDE DUBUQUE WILL PROMOTE THE PROVISION OF LOCAL PROGRAMMING

As CRTV stated in its Petition, adding Dubuque to the Cedar Rapids-Waterloo designation will encourage KCRG-TV to continue to invest in network, syndicated and local programming that caters to Dubuque residents. Significantly, while KCRG-TV provides

²² Id. at Exhibit 4.

²³ Id. at 6.

²⁴ Allen Declaration at ¶ 5.

Dubuque residents with local news coverage and special programming, none of the distant signals imported by the cable system serving Dubuque (TCI Cablevision of Dubuque, Inc.) devote resources to such local programming.²⁵ KCRG-TV's continuing ability to economically provide local service is threatened by the encroachment on its market allowed by the current designation.

Without the requested redesignation, KCRG-TV cannot prevent the Dubuque system from importing the distant signal of ABC affiliate WQAD-TV, Moline Illinois. This is so because Dubuque lies outside of the 35-mile protected zone of both Cedar Rapids and Waterloo. Similarly, KCRG-TV cannot prevent the Dubuque cable system from importing the signals of distant stations carrying syndicated programming also carried by KCRG-TV -- even though these stations pay substantially less for the programming than KCRG-TV.²⁶ Hence, KCRG-TV is competitively harmed by its inability to protect its programming investment throughout the television market in which it actually competes.²⁷

Moreover, the current designation harms the viewing public by undermining the economic basis for KCRG-TV's continuing provision of programming of interest to Dubuque

²⁵ Petition at 6.

²⁶ Id. at 7-8. As stated in CRTV's Petition, the Dubuque cable system imports the signals of stations WISC-TV, Madison, Wisconsin, and KWQC-TV, Davenport, Iowa. Both stations broadcast the syndicated program "Oprah," which also is licensed by KCRG-TV. Imported stations also duplicate a number of other syndicated programs aired by KCRG-TV, including "Star Trek," "Deep Space Nine," "Home Improvement," "American Journal" and "Rush Limbaugh."

²⁷ See Major Television Markets, 57 R.R.2d at 1124-25 (noting harm arising from a licensee's inability to assert network nonduplication and corresponding need for hyphenation of market).

residents. As noted in the Petition, KCRG-TV has a full-time Dubuque news bureau, which has been staffed full-time for several years. KCRG-TV also has a live microwave vehicle stationed there.²⁸ The Dubuque cable operator's carriage of duplicative programming naturally tends to erode KCRG-TV's viewership and advertising revenues in the Dubuque area. Accordingly, the economic basis for KCRG-TV's local programming currently is jeopardized. The requested redesignation will ensure that Dubuque viewers continue to enjoy local programming.

In addition, inclusion of Dubuque in the Cedar Rapids-Waterloo market designation will facilitate cable carriage of Cedar Rapids-Waterloo stations by cable systems geographically proximate to those communities, but outside the Cedar Rapids ADI.²⁹ These systems would pay no additional copyright fee for carriage of stations licensed to Cedar Rapids-Waterloo because the stations would qualify as "local," rather than "distant" under applicable copyright rules.³⁰ Hence, a disincentive to expanded carriage of the stations

²⁸ Petition at 6 n.9. CRTC's Petition explained that, in addition to its news coverage of Dubuque, KCRG-TV produces various programs responsive to the local needs and interests of Dubuque residents. Past programs include "Our Town -- Dubuque," a special half-hour show featuring news stories, features and local advertising geared specifically toward Dubuque, and "Dubuque: A Town Divided," an in-depth half-hour program examining racial tensions in Dubuque. KCRG-TV won an International IRIS Award for this program. *Id.* at 8 n.13.

²⁹ The Dubuque 35-mile protected encompasses portions of the following four counties outside of the Cedar Rapids ADI: Carroll County, Illinois, Jo Daviess County, Illinois, Iowa County, Wisconsin, and Lafayette County, Wisconsin. 1996 Cable & Station Coverage Atlas at Maps 127 (Illinois), 130 (Iowa) and 166 (Wisconsin).

³⁰ 17 U.S.C. § 111(f) (no additional copyright fee for carriage of programming within "local service area of a primary transmitter," which is defined as the area in which a station is "entitled to insist upon its signal being retransmitted by a cable system pursuant to the rules" of the FCC in effect on April 15, 1976). In relevant part, 47 C.F.R. § 76.59(a)(1)

would be removed. Expanded carriage of KCRG-TV would, in turn, enable it to justify economically increased amounts of local programming targeted to such communities.

In sum, the requested redesignation of the market will promote local origination of programming, an objective strongly endorsed by Congress in enacting the Cable Television Consumer Protection and Competition Act of 1992.³¹ As a result, both cable and non-cable viewers would benefit from the addition of Dubuque to the Cedar Rapids-Waterloo designation.

(1976) requires cable carriage of television stations "within whose [35-mile] specified zone [a] community [served by the system] is located." 47 C.F.R. § 76.59(a)(4) (1976) also requires carriage in such a cable community of television stations licensed to other communities in the same hyphenated-market designation. Hence, a station is "local" to all communities within a hyphenated market for purposes of the cable compulsory license. CRTV notes that while 47 C.F.R. § 76.59(a)(6) (1976) accords "local" status to stations "significantly viewed" in a cable community, none of the stations licensed to Cedar Rapids or Waterloo is significantly viewed in the four counties. See 1996 Cable & Station Coverage Atlas at 79-141.


³¹ 1992 Cable Act Section 2 (9)-(17) (national interest in cable carriage of local commercial television stations because such carriage increases viewership and attracts additional advertising revenues that supports local programming)

IV. CONCLUSION

For the foregoing reasons, CRTV respectfully urges the Commission to change the designation for the Cedar Rapids-Waterloo, Iowa market to Cedar Rapids-Waterloo-Dubuque, Iowa. Such redesignation of the market will conform Section 76.51 of the Commission's rules -- and the programming exclusivity rules governed by that section -- to the competitive reality of the marketplace, and also will benefit the local viewing public.

Respectfully submitted,

CEDAR RAPIDS TELEVISION COMPANY

By 

John C. Quale

Jerry V. Haines

Michael K. Baker

- of

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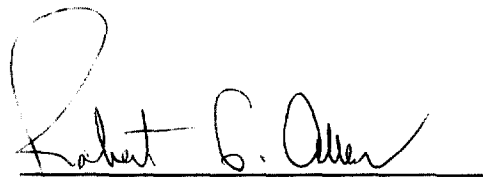
July 22, 1996

Declaration of Robert G. Allen

1. I, Robert G. Allen, Vice President & General Manager of television station KCRG-TV, Cedar Rapids, Iowa, declare that I have read the foregoing "Comments," that I have supervised the preparation of the attached Exhibits, and that the facts contained therein are true and correct to the best of my personal knowledge and belief.
2. Under my supervision, certain employees of KCRG-TV have viewed the broadcasts of KFXA-TV, Channel 28, Cedar Rapids, Iowa (FOX) and KFXB-TV, Channel 40, Dubuque, Iowa (FOX) and reported that the station identifications refer collectively to the stations as "KFXA and KFXB, Cedar Rapids-Waterloo-Iowa City-Dubuque."
3. These employees also reported that on the evening of July 10, 1996 the following businesses aired advertisements on KFXA/KFXB: Mercy Hospital (Cedar Rapids), Cedar Rapids Kernels, Amana Colonies Golf (Cedar Rapids), and Chezik Sayers Honda (Iowa City).
4. In the past 90 days, the following Dubuque businesses have advertised on KCRG-TV: American Trust and Savings, Basket Expressions, Diamond Jo Casino, Dubuque Greyhound Park and Casino, Dubuque Telegraph Herald, Krieg Boys Ice Co.
5. Contracts for syndicated programming aired by KCRG-TV designate the relevant market as Cedar Rapids-Waterloo-Dubuque, Iowa.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 19, 1996

A handwritten signature in black ink, appearing to read "Robert G. Allen", written over a horizontal line.

Robert G. Allen
Vice President & General Manager
KCRG-TV, Cedar Rapids, Iowa

EXHIBIT 1

ENGINEERING STATEMENT
RE: TELEVISION BROADCAST STATION
SERVING CEDAR RAPIDS MARKET

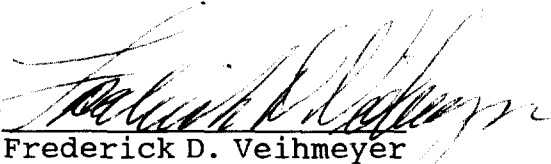
This statement was prepared on behalf of Cedar Rapids TV Company, license of television broadcast station KCRG-TV Cedar Rapids, Iowa. It describes the authorized television services available to the Cedar Rapids Market.

Attached to this statement as Figures 1 and 2 are maps showing the Grade A and Grade B service contours of television broadcast stations that provide service to the Cedar Rapids Market.

All of the contours shown on Figures 1 and 2 are based on the authorized operating facilities of each station and were determined using the standard prediction method described in Section 73.684 of the Rules of the Federal Communications Commission.

A tabulation listing each station by call letter, location and authorized facilities is attached as Figure 3.

Sincerely,
LOHNES AND CULVER

by 
Frederick D. Veihmeyer

July, 1996

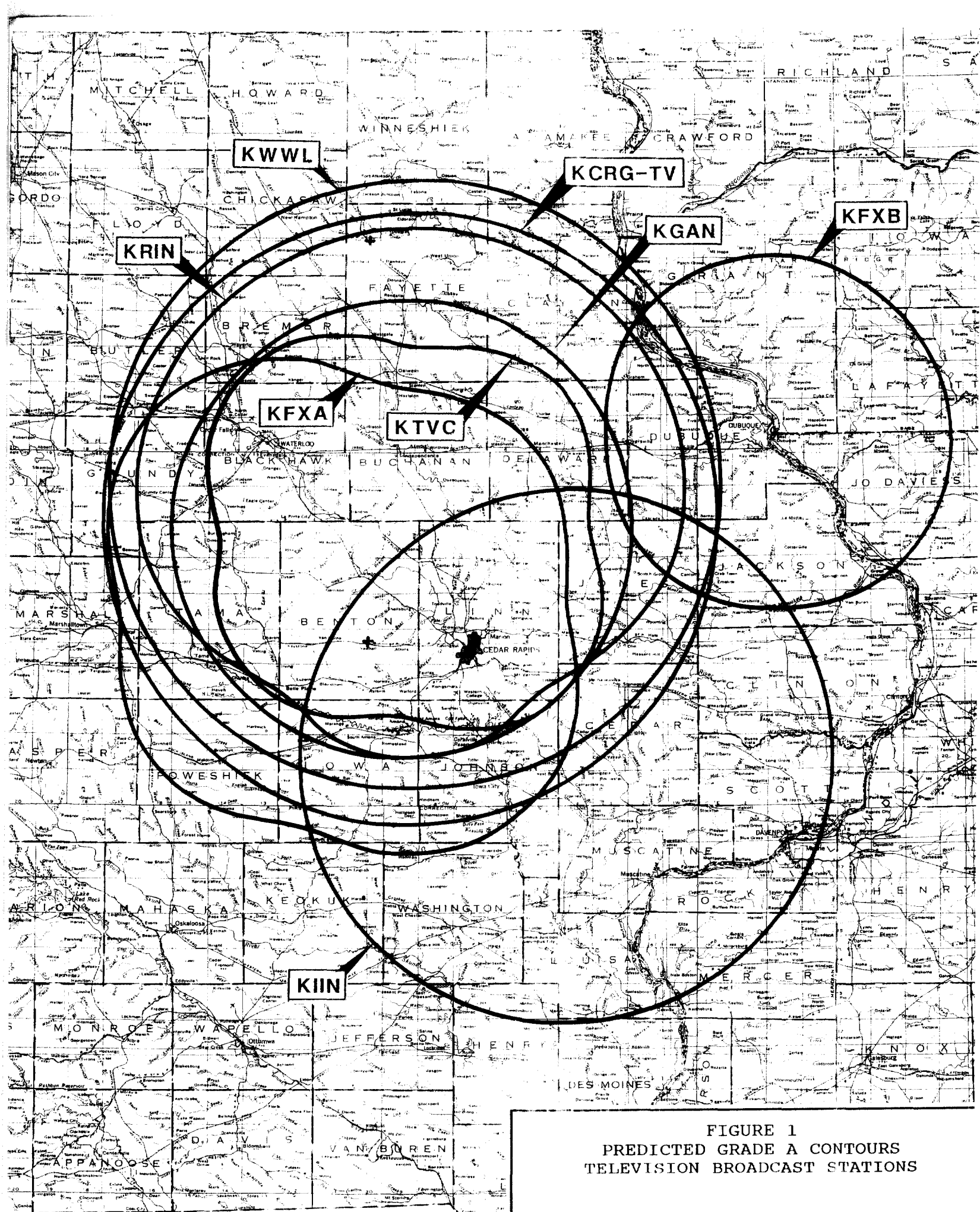


FIGURE 1
PREDICTED GRADE A CONTOURS
TELEVISION BROADCAST STATIONS

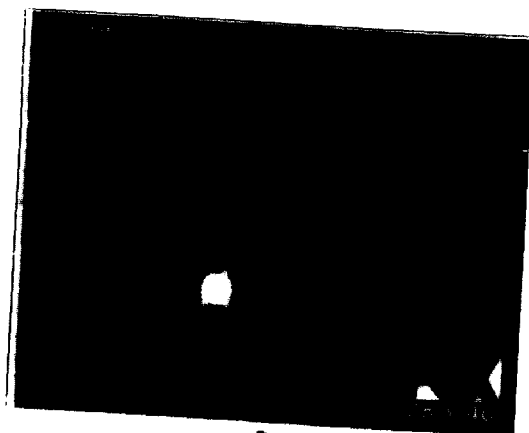
Prepared by
Lohnes and Culver Washington, D.C.
July 1966

FIGURE 3
 AUTHORIZED FACILITIES
 OF TELEVISION STATIONS
 SHOWN ON FIGURES 1 AND 2

| <u>CALL</u> | <u>LOCATION</u> | <u>CHANNEL</u> | <u>POWER</u> | <u>HEIGHT</u> |
|-------------|-----------------|----------------|--------------|---------------|
| KCRG-TV | CEDAR RAPIDS | 9 | 316 KW | 1991 FT. |
| KGAN | CEDAR RAPIDS | 2 | 100 KW | 1452 FT. |
| KWWL | WATERLOO | 7 | 316 KW | 1982 FT. |
| KFXA | CEDAR RAPIDS | 28 | 5000 KW | 1585 FT. |
| KTVC | CEDAR RAPIDS | 48 | 2950 KW | 1060 FT. |
| KFXB | DUBUQUE | 40 | 646 KW | 840 FT. |
| KIIN | IOWA CITY | 12 | 316 KW | 1440 FT. |
| KRIN | WATERLOO | 32 | 5000 KW | 1900 FT. |

Prepared by
 Lohnes and Culver Washington, D.C.
 July, 1996

EXHIBIT 2



FEB 10 1996



FEB 10 1996



| | | | |
|--|---|------|---|
| | <p>Two determined women. One desperate search.</p> <h1>90210</h1> <p>Tonight, Kelly & Valerie pursue the same man for different reasons</p> | | <p>Stay tuned for</p> <ul style="list-style-type: none"> • News • Weather • Sports <p>with Mike Puccinelli and Nora Murray MAY 15 1996</p> |
| | <p>Kimberly has Peter right where she wants him... on the operating table</p> <p>All New! 8:00PM</p> <h2>MELROSE PLACE</h2> <p>SPECIAL NIGHT & TIME</p> | | |

What kind of guy
would sleep with
his wife's arch-rival?
Take a wild guess.
ALL NEW! 8:00PM

Partners
ALL NEW! 8:30PM

FEB 10 1996



While everyone else is FREEZING...
Go to the hottest party in the world!

1-800-COLLECT

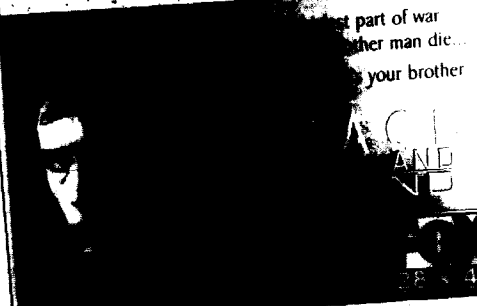
Mardi Gras 2

...the last part of war
...another man die...
...your brother

AND
NEW

FOX
28 & 40

FEB 17 1996



Hang On!

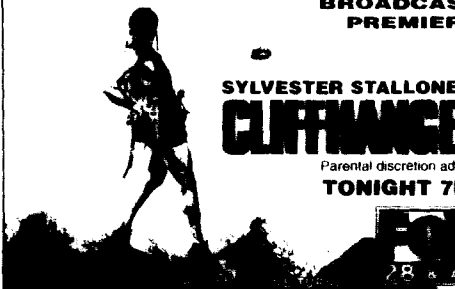
FEB 10 1996

WORLD
BROADCAST
PREMIERE

SYLVESTER STALLONE in
CLIFFHANGER

Parental discretion advised
TONIGHT 7PM

FOX
28 & 40



While everyone else is FREEZING...
Go to the hottest party in the world!

1-800-COLLECT

Mardi Gras 2

THE MARVEL COMIC
ADVENTURE
COMES TO LIFE!


NEW GENERATION
SUPERHEROES

NEW! 8:00PM

GENERATION X

FOX
28 & 40

FEB 17 1996



FOX
28 & 40

FEB 17 1996



FOX
28 & 40

FEB 17 1996



EXHIBIT 3



Fox 28 and Fox 40

Eastern Iowa's new television choice!

It's time for an introduction...

The Cedar Rapids-Waterloo-Dubuque DMA was the largest market in the country without a Fox station. Second Generation, which has owned stations for more than fifteen years, has merged two Eastern Iowa TV stations. One in Cedar Rapids KFXA. The other in Dubuque, KFXB to form a two station Fox powerhouse. These two stations will simulcast (excluding the local Dubuque news), covering Eastern Iowa and bringing you a new television opportunity.

Here's what you can expect from Fox 28 & Fox 40.

- **An on-air product better than any in the market.** We are committed to being the best television station in this market. We have redesigned our entire station and will have an all new look this fall.
- **The great Fox advertising environment.** Only the Fox network and Fox 28 & 40 focuses on programming to your best customers, the 18-49 year old adults, that are in their acquiring years, have money to spend and are heavily influenced by advertising.
- **Massive media launch.** This fall Fox 28 & 40 will begin the largest advertising blitz in the history of the market. In six weeks this fall we will have exposure on radio, billboards and print telling everyone of your customers to watch our stations and your ads!
- **Improved over-the-air signal.** KFXA has replaced our antenna and is now broadcasting at five times the stations former power. Next year we're constructing a 1,500 ft. tower that will cover every home in our DMA.
- **Total cable coverage.** Currently we are carried on the Cedar Rapids, Waterloo and Dubuque systems giving your business maximum exposure. And by this fall Fox 28 & 40 will be on every cable system in the DMA.